



BOARD OF APPEAL

GARRETT S. HOAG
JOHN L. HAYDEN
DANA T. LOWELL

KATHARINE E. TOY, CLERK
TELEPHONE
CE. 5-1664

Petition of Robert and Norman B. Leventhal

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:25 p.m. on October 17, 1963, on the appeal of Norman B. and Robert Leventhal, pursuant to the provisions of Chapter I, Section 11, of the Building Code, from the refusal of the Inspector of Buildings to issue a permit for the construction of a building to be used for offices and establishments for research and development on a lot of land located in an Administrative and Professional District at #44 Glenwood Avenue. The reason for such refusal is that the plans submitted vary slightly from those approved by the Board of Appeal and the appellants request permission to construct the proposed building in accordance with the revised plans.

Robert Leventhal represented the appellants at the hearing and spoke in support of the appeal.

The Planning Board offered no objection to the slight variation in the plans.

On September 19, 1963, the Inspector of Buildings notified the appellants in writing that a permit for the proposed building could not be issued for the above-mentioned reasons. On September 20, 1963, the appellants took an appeal from such refusal, and thereafter due notice of the hearing was given by mailing and publication.

Statement of Facts

The property involved is located within an Administrative and Professional District which permits among other uses offices and establishments for research and development.

In April, 1963, this Board granted the appellants permission to construct a building and approved the plans submitted. The appellants finding certain changes desirable submitted to the Building Inspector, with their application for a building permit, plans incorporating these changes. The plans submitted to the Building Inspector, therefor, varied from those approved by the earlier decision of this Board. Accordingly, the Building Inspector properly refused the permit and this appeal was taken.

The variances are not substantial. They would add a penthouse to house mechanical equipment, and an areaway to provide access to the basement. They also revised the entrance details. The plan of the lot was also revised to accord with an actual survey.

Decision

We find that the new plans submitted together with those formerly submitted which are not superceded make adequate provision for each the items (1) to(VII) of Section IX 2 (f) of the Zoning By-law.

63-115

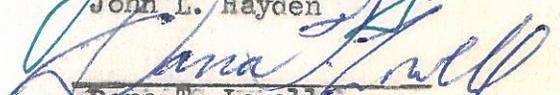
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Accordingly, such new plans are approved and our prior approval of the old plans is confirmed subject to the following conditions:

1. That sheet #1, dated January 25, 1962, shall be replaced by Sheet #1, Revised July 22, 1963. (Site Plan)
2. That Sheet #2, (Planting Plan) dated January 25, 1962, shall be replaced by Sheet #2, Revised July 22, 1963.
3. That the following plans shall replace previous plans submitted:
 - Sheet #1 (Proposed Building No. 2 (Plot Plan,) dated July 22, 1963.
 - Sheet #2 (Proposed Building No. 2 (Elevations) dated July 22, 1963.
 - Sheet #3 (Proposed Building No. 2 (Elevations) dated July 22, 1963.


Garrett S. Hoag


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Filed with Town Clerk 3/27/64

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